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UNITED STATES DISTRICT COURT
TERRITORY OF GUAM

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Plaintiff,

vs.

LEO PALACE RESORT,

Defendant.

CIVIL CASE NO. 06-00028

NOTICE OF LODGING OF
ORIGINAL SIGNATURE OF EEOC
COUNSEL ANGELA MORRISON

COMES NOW the United States and lodges with the Court, the original signature, of the
government's Declaration of Angela Morrison in Support of Reply In Support of Plaintiff

FILED
DISTRICT COURT OF GUAM

NOV 19 2007

JEANNE G. QUINATA
Clerk of Court

1 EEOC's Motion for Partial Summary Judgment the above entitled matter, a facsimile copy of
2 which was previously filed on November 13, 2007.

3 DATED: November 14, 2007.

5 LEONARD M. RAPADAS
6 United States Attorney
7 Districts of Guam and NMI

8 BY: 

MIKEL W. SCHWAB
Assistant U.S. Attorney

ORIGINAL

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20 UNITED STATES DISTRICT COURT

21 DISTRICT OF GUAM

22 U.S. EQUAL EMPLOYMENT
23 OPPORTUNITY COMMISSION,

24 Plaintiff,

25 v.

26 LEO PALACE RESORT,

27 Defendant.

28 JENNIFER HOLBROOK; VIVIENE
29 VILLANUEVA; and ROSEMARIE
30 TAIMANGLO,

31 Plaintiff-Intervenors,

32 v.

33 MDI GUAM CORPORATION d/b/a LEO
34 PALACE RESORT MANENGGON
35 HILLS and DOES 1 through 10,

36 Defendants.

Case No.: 2:06-CV-00028

DECLARATION OF ANGELA
MORRISON IN SUPPORT OF REPLY
IN SUPPORT OF PLAINTIFF EEOC'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT

1 I, Angela D. Morrison, declare and state:

2 1. I am a Trial Attorney employed at the Las Vegas Local Office, Los Angeles
3 District Office of the United States Equal Employment Opportunity Commission. I have
4 personal knowledge of the facts stated herein, and if called as a witness to testify as to the
5 matters stated herein, I could and would competently do so.
6

7 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts of the
8 deposition transcript of Vivienne Villanueva.
9

10 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the
11 condensed deposition transcript of Gregory Perez.
12

13 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the
14 deposition transcript of Rosemarie Taimanglo.

15 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of the
16 deposition transcript of Satoshi Suzuki.
17

18 6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the
19 deposition transcript of Jennifer Holbrook.

20 7. Attached hereto as Exhibit 6 are true and correct copies of the EEOC Notice of
21 Charge of Discrimination by Rosemarie Taimanglo, produced by Defendant in discovery
22 and bates stamped numbers LPR 00355-00360; the EEOC Notice of Charge of
23 Discrimination by Jennifer Holbrook, produced by Defendant in discovery and bates
24 stamped numbers LPR 00361-00365; and the EEOC Notice of Charge of Discrimination
25 by Vivienne Villanueva, produced by Defendant in discovery and bates stamped numbers
26
27
28

1 LPR 00366-00370. Portions of the exhibit are redacted to protect personal information
2 such as social security numbers, home addresses, and dates of birth.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed
4 this 11th day of November, 2007, at Las Vegas, Nevada.
5

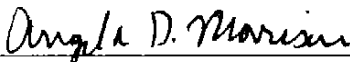
6
7 
8 Angela D. Morrison

Exhibit 1

IN THE DISTRICT COURT OF GUAM

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

LEO PALACE RESORT,

Defendant.

JENNIFER HOLBROOK,
VIVIENE VILLANUEVA and
ROSEMARIE TAIMANGLO,

Plaintiff-Intervenors,

vs.

MDI GUAM CORPORATION dba LEO
PALACE RESORT MANENGON HILLS
and DOES 1 through 10,

Defendants.

CASE NO. 1:06-CV-00028

 **COPY**

DEPOSITION OF VIVIENE VILLANUEVA

Taken on Behalf of the Defendant

BE IT REMEMBERED That, pursuant to the Guam Rules of Civil Procedure, the deposition of Vivienne Villanueva was taken before Veronica F. Reilly, Certified Shorthand Reporter, on Wednesday, the 21st day of March 2007, at 1:30 p.m. in the Law Offices of Dooley Roberts & Fowler, 865 South Marine Corps Drive, Suite 201, Orlean Pacific Plaza, Tamuning, Guam.

Veronica F. Reilly, CSR-RPR
Certified Shorthand Reporter
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Tamuning, Guam 96913
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Phone: 671.646.1222

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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
333 S. Las Vegas Boulevard
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Las Vegas, Nevada 89101
By: Ms. Angela D. Morrison, Esq.
Phone: 702.388.5072

ALSO PRESENT

Rosemarie Taimanglo, Plaintiff

May Paulino, Leo Palace

Nichiro Niikura, Leo Palace

Veronica F. Reilly, CSR-RPR
Certified Shorthand Reporter
Tel: 671.734.1041 * Fax: 671.734.1045
Email: Veronica.reilly@hotmail.com

1 A. May incident, June, so two weeks, less than three
2 weeks.

3 Q. Do you remember when in June?

4 A. I don't remember the date but it was somewhere
5 around the first week, sir.

6 Q. Tell me what happened.

7 A. I was -- I took off the front desk. I was in the
8 computer, computer No. 3. We had four computers. Computer 1
9 being the Ving card to make keys, 2 for, you know -- 3 and 4,
10 and I was in the middle and I noticed that she -- you know,
11 from my view, side view, that she had entered from the door
12 and then she was approaching me and then all of a sudden, she
13 put her right hand to my stomach and her left to my back and
14 started to hump me and grind me.

15 Q. And what did you do?

16 A. I was shocked. I told her, stop it, Christina,
17 you're scaring me. And all she said was, you know, "Sorry, I
18 couldn't help myself," but she was laughing anyways.

19 Q. Did you push her away?

20 A. I went like this. I didn't push her away.

21 Q. That looked like a side step?

22 A. Yes. Then --

23 Q. Was anybody else behind the front desk when this
24 happened?

25 A. My supervisor, Rose, was there but she didn't see

1 it.

2 Q. Rose didn't see it?

3 A. Yes. Because she was kneeling down getting
4 something from the storage cabinet.

5 Q. Did you tell Rose what had happened?

6 A. Yes, I did.

7 Q. What did Rose say?

8 A. She said that she's crazy, she's going to get
9 herself in trouble.

10 Q. By this time, June of 2004, you had known May
11 Paulino for about a year, right?

12 A. Yes.

13 Q. Did you ever think of reporting Christina's conduct
14 to May Paulino?

15 A. No. It didn't cross my mind, you know, at the time.
16 It didn't cross my mind.

17 Q. Did you tell anybody else about this humping
18 incident?

19 A. Yes, I did.

20 Q. Who?

21 A. Other than Rose?

22 Q. Yeah.

23 A. I told other supervisors, Jun Layug, which at the
24 time, he was Reception Center Front Desk Supervisor for B
25 Shift.

1 Q. What's Jun's last name?

2 A. Layug L-A-Y-U-G.

3 Q. Layug. And why did you tell Jun Layug?

4 A. Because I felt uneasy.

5 Q. What was Jun Layug's position? Front Desk?

6 A. I'm sorry. Reception Center Supervisor for B shift.

7 Q. For B shift?

8 A. For swing shift.

9 Q. Swing shift?

10 A. Or I think that was C, C shift.

11 Q. Did Jun say anything to you?

12 A. He laughed. He thought I was joking.

13 Q. Who else did you tell about this humping incident
14 other than Jun?

15 A. I told Concierge Supervisor, Ray Ocasamora. I
16 believe he was the supervisor for the concierge back then and
17 he works swing shift as well.

18 Q. What did he say?

19 A. Nothing. He laughed.

20 Q. Anybody else other than Jun, Ray and Rose?

21 A. Yes.

22 Q. Who?

23 A. Han Jang Min. He was the Assistant Night Manager
24 for graveyard.

25 Q. Can you spell that for the court reporter?

1 A. H-A-N space J-A-N-G space M-I-N.

2 Q. Did he say anything?

3 A. No. He laughed as well.

4 Q. Who else did you tell?

5 A. Greg Perez and he's the Night Manager, Graveyard

6 Night Manager.

7 Q. So were you pretty angry as a result of this humping
8 incident?

9 A. I wasn't angry but I was -- like I didn't understand
10 why they took it like a joke.

11 Q. You're telling a lot of people. You're telling
12 Rose, you're telling Jun, you're telling Ray, Han, Greg. Why
13 were you telling all these people?

14 A. Because to me, at that time, I felt like if I told
15 somebody, then they'd know that it really happened.

16 Q. Why did you think it was important for somebody to
17 know that it really happened?

18 A. Because at that time, they might think that it's a
19 joke. So I figured if I told someone else, they might
20 believe.

21 Q. Did you think it was important that somebody believe
22 you?

23 A. Yes.

24 Q. Why?

25 A. Because I was violated.

1 Q. Was she usually a nice person?

2 A. Usually like in general?

3 Q. Yeah, in general.

4 A. She would -- she's a nice person, but in a way,
5 there's like a meaning to it; like she would say sexually --
6 sexual jokes. I guess, you know, she would have been like --
7 continued on being nice if she stopped bothering people with
8 her sexual jokes.

9 Q. Did you ever laugh at any of her jokes, even the
10 clean ones?

11 A. Clean ones, yes.

12 Q. Can you recall some clean jokes that she told or
13 jokes she made?

14 A. No.

15 Q. Did you consider Christina generally a happy person?

16 A. Well --

17 Q. Let me withdraw. A better question is, was she
18 smiling a lot on the job?

19 A. Sometimes.

20 Q. After the mannequin incident, what's the next thing
21 that you saw happen that you would consider to be sexual
22 harassment?

23 A. She would tell us about her sexual life, that she
24 had a girlfriend who worked at the Housekeeping Department
25 and she would describe how they have sex.

REPORTER'S CERTIFICATE

I, Veronica F. Reilly, Certified Shorthand Reporter, hereby certify that Vivienne Villanueva personally appeared before me at the time and place set forth in the caption hereof; that at said time and place I reported in stenotype all testimony adduced and other oral proceedings had in the foregoing matter; that thereafter my notes were reduced to typewriting under my direction; and the foregoing transcript, pages 1 to 87, both inclusive, constitutes a full, true, and correct record of such testimony adduced and oral proceedings had and of the whole thereof.

Witness my hand at Barrigada, Guam, this 25th day of April 2007.

|S|

Veronica F. Reilly, CSR-RPR
Certified Shorthand Reporter

Exhibit 2

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

COPY

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

vs. Case No. 1:06-CV-00028

LEO PALACE RESORT,
Defendants.

JENNIFER HOLBROOK; VIVIANNE VILLANUEVA;
and ROSEMARIE TAIMANGLO,

Plaintiff-Intervenors,

vs.

LEO PALACE RESORT,
Defendant.

DEPOSITION OF GREGORY PEREZ

Taken on behalf of the EEOC at Kessner, Duca, Umebayashi
Bain & Matsunaga, 220 S. King St., 19th Floor, Honolulu,
Hawaii 96813, commencing at 9:04 a.m., Thursday, March
8, 2007, pursuant to Notice.

BEFORE: BARBARA ACOBA, CSR No. 412, RPR
Notary Public, State of Hawaii

MERRILL LEGAL SOLUTIONS

800-826-0277 818-593-2300 Fax 818-593-2301 www.merrillcorp.com

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8 U.S. EEOC

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17 For DEFENDANT LEO PALACE RESORT:

18 TIM ROBERTS, Esq.

19 DOOLEY ROBERTS & FOWLER

20 Orlean Pacific Plaza

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22 Tamuning, Guam 96913

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1 GREGORY PEREZ

2 called as a witness at the instance of the Plaintiff

3 being first duly sworn to tell the truth, the whole

4 truth, and nothing but the truth testified as follows:

5 EXAMINATION

6 BY MR. McClINTON:

7 Q. Mr. Perez --

8 MR. McClINTON: Why don't everybody introduce
9 themselves for the record.10 MR. ROBERTS: I'm Tim Roberts, counsel for Leo
11 Palace Resort.12 MR. TORRES: I'm Phil Torres, counsel for the
13 Plaintiff Intervenors.14 MR. TUNGOL: I'm Wilfredo Tungol, counsel
15 for -- co-counsel for EEOC.

16 BY MR. McClINTON:

17 Q. Mr. Perez, I introduced myself to you earlier.

18 My name is Greg McClinton. I'm an attorney for the
19 United States Equal Employment Opportunity Commission

20 and we're here today to take your deposition in the case

21 of EEOC versus Leo Palace Resorts. The EEOC, or the

22 Government, is the Plaintiff in this case. And we're

23 here to get your best testimony regarding events

24 surrounding sexual harassment allegations that occurred

25 around the 2003-2004 timeframe.

1 The questions that I ask you, that I'm going to
2 be asking you, I would ask that regarding the relevant
3 period, would be from 2003 to, let's say, December of
4 2000 -- we'll say till December of 2005, unless I give
5 you a different timeframe; do you understand that?

6 A. Sure.

7 Q. Now, I'd asked you earlier if you've had your
8 deposition taken before and I believe you said no; is
9 that correct?

10 A. That's correct.

11 Q. And my understanding is you're unrepresented
12 today; is that also correct?

13 A. That's correct.

14 Q. Then let me go over some ground rules for a
15 deposition. Again, you were sworn under oath by the
16 court reporter and your testimony here is no different
17 than if you were testifying in a court of law. The only
18 difference is that we don't have a judge present.19 Mr. Roberts, who represents Leo Palace Resorts, is
20 allowed to make objections and the objections are only
21 for the record. So I would ask that when I ask you a
22 question, that you take a second or two before you
23 answer the question, allow time for Mr. Roberts to
24 express a objection, if he has one, and then answer the
25 question; do you understand that?

1 Palace Resort Employee Handbook.

2 Did it just have the logo on it or did it have
3 employee handbook on it?

4 A. I remember the logo, and I remember seeing
5 employee handbook printed on it.

6 Q. But you were never actually given one of these;
7 is that correct?

8 A. No. That's correct.

9 Q. And was there any requirement during the time
10 that you were there that you were to read that list or
11 that stack of documents that had the logo on it that
12 said employee handbook?

13 A. If I was required, I wasn't made aware of it.

14 Q. Okay. And do you know if any of the other
15 employees were required to read that stack of documents
16 that had the logo on it that said employee handbook?

17 A. I'm not aware of it.

18 Q. And by the way, if you need a break, just let
19 me know. I didn't tell you that when I started, but
20 this isn't a marathon, so if you need a break, just say
21 so.

22 Now, I had asked you some -- well, you actually
23 testified regarding some complaints by Ms. Villanueva.
24 Did she ever describe to you an incident where
25 Ms. Camacho was -- supposedly humped her in a sexual

1 A. I don't recall.

2 Q. Did she ever tell you that Ms. Camacho had
3 rolled up some paper towels into the shape of a penis
4 and put it in her crotch area?

5 MR. ROBERTS: Objection. Leading.

6 THE WITNESS: No.

7 BY MR. McCLINTON:

8 Q. Is it no or you don't recall?

9 A. She never told me about that.

10 Q. Okay. And what is it that Ms. Taimanglo, what
11 is it that she did tell you?

12 A. Roughly her behavior with the customers were of
13 a sexual nature, especially one incident, and that the
14 other girls were complaining about her, about her
15 aggressiveness toward them.

16 Q. And when you say "aggressiveness toward them,"
17 are you referring to sexual aggressiveness toward them?

18 A. Yes.

19 Q. And when you say the other girls, what other
20 girls are you referring to?

21 A. All the girls at the front desk, specifically
22 Vivienne and Jennifer. There was another young lady.

23 Q. That's Jennifer Holbrook?

24 A. Jennifer Holbrook. And there was another young
25 lady there, but she went into the military. I can't

1 way?

2 A. That's basically the incident that occurred.
3 It was -- yeah. The incident that originally set this
4 off was she placed her hands on her butt and simulated
5 sex.

6 Q. And is that where kind of the slapping incident
7 kind of came in?

8 A. Well, I guess initially she used both hands or
9 something.

10 Q. I gotcha. Now, you also -- I asked you about
11 Ms. Taimanglo and you said you knew her. She was a
12 front desk supervisor; is that correct?

13 A. Yes.

14 Q. And did she manage Ms. Camacho? If you know.

15 A. Supervise, yes.

16 Q. And did Ms. Taimanglo ever talk to you about
17 any complaints that she may have had about Ms. Camacho's
18 sexual advances toward her?

19 A. Yes.

20 Q. And did Ms. Camacho ever tell you that -- I'm
21 sorry, Ms. Taimanglo, did she ever tell you that
22 Ms. Camacho felt her breasts?

23 A. I don't recall.

24 Q. Did she ever tell you that Ms. Camacho, that
25 she used to make this sexual slurping noise to her?

1 remember her name.

2 Q. Did Ms. Taimanglo, did she ever tell you that
3 she -- whether or not she had ever counselled
4 Ms. Camacho regarding her -- this aggressive sexual
5 behavior toward these other desk clerks?

6 A. Yes.

7 MR. ROBERTS: Objection. Leading.

8 BY MR. McCLINTON:

9 Q. I'm sorry, and your answer?

10 A. Yes.

11 Q. Did she tell you how many times she counselled
12 her?

13 A. Numerous. I remember the word numerous.

14 Q. And did she ever tell you what Ms. Camacho's
15 response was?

16 A. In one ear, out the other.

17 Q. And do you know if Ms. Taimanglo ever reported
18 Ms. Camacho's inappropriate sexual behavior to
19 Ms. Paulino?

20 A. She told me she did see May about it.

21 MR. ROBERTS: Objection. Hearsay.

22 BY MR. McCLINTON:

23 Q. And did she tell you what Ms. Paulino's
24 response was?

25 A. No. Not -- I'm sorry. I don't recall.

Exhibit 3

IN THE DISTRICT COURT OF GUAM

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

LEO PALACE RESORT,

Defendant.

JENNIFER HOLBROOK,
VIVIENE VILLANUEVA and
ROSEMARIE TAIMANGLO,

Plaintiff-Intervenors,

vs.

MDI GUAM CORPORATION dba LEO
PALACE RESORT MANENGGON HILLS
and DOES 1 through 10,

Defendants.

CASE NO. 1:06-CV-00028

 **COPY**

DEPOSITION OF ROSEMARIE TAIMANGLO

Taken on Behalf of the Defendant

BE IT REMEMBERED That, pursuant to the Guam Rules of Civil Procedure, the deposition of Rosemarie Taimanglo was taken before Veronica F. Reilly, Certified Shorthand Reporter, on Tuesday, the 20th day of March 2007, at 9:00 a.m. in the Law Offices of Dooley Roberts & Fowler, 865 South Marine Corps Drive, Suite 201, Orlean Pacific Plaza, Tamuning, Guam.

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ALSO PRESENT

Viviene Villanueva, Plaintiff

May Paulino, Leo Palace

Nichiro Niikura, Leo Palace

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1 too.

2 Q. So you had a concern about her actual job
3 performance aside from the matters of a sexual nature?

4 A. It's mostly her sexual behavior, sir.

5 Q. But that's not my question. As Christine's
6 supervisor, you thought she was a lousy employee, right?

7 A. She slacks off.

8 Q. On the job?

9 A. Yes, sir.

10 Q. She wasn't doing her job right, you felt?

11 A. Yes, sir.

12 Q. And that was one of the reasons that you wrote what
13 you wrote in this exhibit, right?

14 A. Yes.

15 Q. When you spoke to May Paulino on July 1 regarding
16 Christine Camacho, is that about her sexual behavior? Is
17 that what you talked about with May, sexual behavior?

18 A. Yes, sir.

19 Q. Is that the first time you ever spoke with May
20 Paulino about it?

21 A. Yes, sir.

22 Q. What did you say to May?

23 A. I told her on July 1st that Christina had sexually
24 humped Vivienne and she acknowledged that she knows about it
25 because of Greg's letter of concern, complaint.

1 Q. Yeah, what you know.

2 A. I actually spoke to Suzuki the ending of June.

3 Q. And what did you tell Suzuki?

4 A. About Christina sexually harassing the employees.

5 Q. What did you tell him specifically?

6 A. I told him about Vivienne's incident.

7 Q. The humping incident?

8 A. Yes, sir. And with Christina using sexual language
9 to employees, including myself, and that he -- he also had
10 witnessed Christina Camacho putting paper towel in her pants
11 to shape it like a penis. He had witnessed that.

12 Q. How do you know?

13 A. Because I was there and he actually got mad at her.

14 Q. Suzuki did?

15 A. Yes.

16 Q. How did he manifest his anger?

17 A. He went to her and he gestured his hand like -- like
18 stop it. He called her *baka*.

19 Q. What's *baka* mean?

20 A. Stupid in Japanese. Then I remember Christina left
21 to go to the rest room and I guess remove the paper towels
22 from her pants.

23 Q. Okay. You speak a little Japanese, right?

24 A. Yes.

25 Q. You were learning on the job, I think?

1 know, place my hand on her breast. I pulled it away and I
2 said, you better stop that, and then same thing, she would be
3 laughing.

4 Q. And the first time that she did this, did you report
5 it to management?

6 A. I had report it to Suzuki, this is ending of
7 sometime in June, ending of June.

8 Q. Did you ever --

9 A. The same time when I asked for the approval, if I
10 can go see May and report the incident to May.

11 Q. Tell me about this conversation. What happened in
12 this first conversation with Mr. Suzuki with Christine
13 Camacho?

14 MS. MORRISON: Objection; misstates her
15 testimony.

16 BY MR. ROBERTS: (Continuing)

17 Q. You were describing a conversation you had with
18 Mr. Suzuki about going to May?

19 A. Yeah.

20 Q. When did this conversation take place?

21 A. Ending of June.

22 Q. Had you spoken with Mr. Suzuki about Ms. Camacho's
23 conduct prior to the ending of June meeting with Mr. Suzuki?

24 A. I think I spoke to him once in June. Once.

25 Q. Once before -- well, all right. On this one

1 occasion in June that you spoke to Mr. Suzuki, what did you
2 talk about with him?

3 A. I told him that Christina is not only harassing the
4 employees but also our hotel guests, so I asked him if I can
5 go -- have the permission to go see May and report it to May.

6 Q. What did he tell you?

7 A. He said that I could go and talk to May, report it
8 to May about Christina's sexual behavior at the front desk.

9 Q. And did you tell Suzuki that's what you were going
10 to do?

11 A. Yes.

12 Q. Was Greg Perez with you in this conversation?

13 A. No.

14 Q. So what did you do, if anything, as a result of this
15 conversation with Mr. Suzuki?

16 A. I went to see May. I called her first if I could
17 talk to her.

18 Q. What did she say to you?

19 A. Yes, that I can come down and talk to her.

20 Q. When you say down, that would mean --

21 A. Downstairs to her office.

22 Q. Yeah. You'd go down the lobby, down the stairs at
23 end of the lobby, right?

24 A. No, you take the back, there's an elevator in the
25 back.

1 Q. Behind the front desk?

2 A. Yes.

3 Q. How many feet is it to the elevator from the front
4 desk?

5 A. Or we can take the staircase going down. It's much
6 faster. Do you want me to explain.

7 Q. What's the quickest way to get to May's office from
8 the front desk?

9 A. From the staircase, the staircase going toward the
10 Human Resources office.

11 Q. How long would it take to get to her office?

12 A. Less than five minutes about, less than five
13 minutes.

14 Q. Did May ever come up and say hi to the front desk
15 clerks while you were working there, after the hotel opened?

16 A. I don't recall.

17 Q. Well, okay, anyway, May said, yeah, come on down.
18 So did you go down to her office and talk to her?

19 A. Yes.

20 Q. And this is in late June or are we on --

21 A. July.

22 Q. July 1?

23 A. July 1st, yes.

24 Q. And what did you tell her?

25 A. I told her that -- about Christina's sexual behavior

1 regarding Vivienne's incident and she had told me she --

2 Q. Wait. When you say she had told me?

3 A. May had told me that she is aware of it --

4 Q. I'm sorry. I'm confused on the word had. What did
5 May tell you at this meeting?

6 A. On July 1st?

7 Q. Yeah.

8 A. May had told me that she is aware of Vivienne's
9 incident because Greg's letter of complaint.

10 Q. When you say May had told me, you don't mean May had
11 told you before July 1, you mean May told you on July 1?

12 A. Yes, on July 1.

13 Q. Okay. What else did she say?

14 A. Then I told her about other incidents that had
15 happened on June.

16 Q. Did May say she was aware of those incidents as
17 well?

18 A. No.

19 Q. So you're saying that May told you she was aware of
20 the Vivienne Villanueva incident?

21 A. Yes.

22 Q. And what was that incident again?

23 A. About Christina Camacho sexually humping Vivienne.

24 Q. When you say humping, I know this is embarrassing to
25 talk about, but when you say humping, you mean --

1 A. Riding her.

2 Q. Simulating or grinding, right?

3 A. Yes.

4 Q. And so you told May that there were other incidents
5 as well; correct?

6 A. Yes.

7 Q. What incidents did you mention?

8 A. About Christina grabbing Jennifer's hand to try to
9 put it on her breast and it also happened to me and also the
10 incident with the hotel guests, when they came to check out
11 at the front desk and what Christina had said to our hotel
12 guests when they checked out.

13 Q. What was that?

14 A. There was a box which the Bridal Department had
15 given the front desk to give to the hotel guest when they
16 check out. It was in a box, it's a candle. And when
17 Christina had hand over the candle to the -- the box to the
18 hotel guest, the customer had asked *nani*, meaning what's
19 this, and Christina said, oh, it's a vibrator and the
20 customer was -- they understood because they were shocked,
21 then they --

22 Q. How do you know that? How do you know the -- how do
23 you know the Japanese guest -- The customer was Japanese?

24 A. Yes.

25 Q. How do you know the guest spoke English?

1 A. Because they repeated it and then when we --

2 Q. In English?

3 A. Yes. And then I -- because I was there and I was
4 the supervisor, so what I did is I said, I'm sorry, it's a
5 candle, and Christina at the same time kept laughing about it
6 and then I said, I'm really sorry, it's your candle from your
7 wedding.

8 Q. In Japanese or in English?

9 A. In English.

10 Q. And did the guest respond to you?

11 A. Yes, and they opened the box actually in front of
12 us. And at the time, I was already worried because hotel
13 guests don't really complain when they're in a hotel. They
14 don't complain until they get back home and I was scared
15 because I'm working at that time and, you know, most likely
16 the guest will complain, so that's why I also reported that
17 to May and also Mr. Ijima.

18 Q. We've heard before this incident but I'd always
19 understood that the candle was out of the box when the
20 comment was made. The candle was still in the box?

21 A. It was still in the box.

22 Q. And so you told this to May on this July 1 meeting?

23 A. Yes.

24 Q. And I hate to get away from the July 1 meeting, so
25 don't forget about it. When did you tell Ijima about the

1 vibrator and candle-in-the-box incident?

2 A. On June. On June, before I went down to see May.

3 Q. In June?

4 A. Yes.

5 Q. Beginning of June? Middle of June? Late June?

6 A. I don't remember.

7 Q. Did Ijima respond to your comment in any way?

8 A. Yes.

9 Q. What did he say?

10 A. At first he said -- I guess he said what, he asked
11 me what, what did she say? I guess he was taken by surprise
12 what I had said, then I repeated myself, then he started to
13 laugh and he shook his head and he was laughing also.

14 Q. Did he say anything other than what did she say?

15 A. He called her, in Japanese, *baka*.

16 Q. Did he say anything else to you?

17 A. That's all I remember.

18 Q. What else did you tell May on this meeting of July

19 1?

20 A. That's all I can remember.

21 Q. Okay. Have you ever had a conversation with

22 Mr. Suzuki about Ms. Camacho?

23 A. After I spoke to May in July?

24 Q. I'll strike the question. Withdraw the question.

25 After July 1, what's the next incident of sexual harassment

1 you on August 10 at 2:20 and then again on August 11 at 11:25
2 in the morning. I think that you looked at this during one
3 of the earlier depositions last week.

4 A. Yes.

5 Q. Did you have a chance to read it or were you just
6 looking at it to pass the time in the depo?

7 A. Yeah, just looked, briefly read it. But I didn't --

8 Q. All right. Just to speed things up, May interviewed
9 you on the 10th and 11th of August, right, about Christine
10 Camacho?

11 A. Yes.

12 Q. And they fired Christine on the 13th of August;
13 correct?

14 A. Yes.

15 Q. Did Christine Camacho joke around a lot on the job?

16 A. Yes, she always joked.

17 Q. And did she sometimes make jokes of a sexual nature?

18 A. Yes.

19 Q. And did she sometimes make jokes of a nonsexual
20 nature?

21 A. Yes.

22 Q. Did you ever laugh at any of her jokes?

23 MS. MORRISON: Objection; vague.

24 THE WITNESS: Nonsexual jokes, yes.

25 BY MR. ROBERTS: (Continuing)

1 Q. You never laughed at a joke that was sexual in
2 nature made by Christine Camacho?

3 A. No.

4 Q. Did you laugh at every single one of her nonsexual
5 jokes?

6 A. I don't remember.

7 Q. Was she a funny person?

8 A. Funny, sometimes.

9 Q. Was she a nice person?

10 A. What do you mean by nice?

11 MR. TORRES: Do you like Mr. Roberts?

12 MR. ROBERTS: I was looking for someone other
13 than me.

14 BY MR. ROBERTS: (Continuing)

15 Q. Is Vivienne a nice person?

16 A. Yes.

17 Q. Is Phil Torres a nice person?

18 A. Yes.

19 Q. Was Christine a nice person?

20 A. No. Where --

21 Q. Well, go ahead. If you want to answer that, go
22 ahead.

23 A. No.

24 Q. Was she usually a nice person?

25 A. No. I would say no. She didn't care how you felt.

1 A. I'm sorry, can you repeat the question, sir? I'm
2 sorry.

3 Q. Did you ever go directly to Mr. Suzuki to complain
4 about Christina Camacho?

5 A. Yes.

6 Q. When?

7 A. June 2004.

8 Q. About when in June?

9 A. About ending of June already.

10 Q. What did you say?

11 A. I told them about Vivienne's incident, also, that
12 she's been harassing other employees, including myself, and
13 the incident about the candle and the -- he gave me approval
14 to go and report it to May.

15 Q. Did he say anything else?

16 A. That's all I can remember.

17 Q. After this conversation, did you ever have another
18 conversation with Mr. Suzuki about Christine Camacho?

19 A. Yes.

20 Q. When was this next conversation?

21 A. I spoke to him at least once every week on July
22 because she was still sexually harassing us and I also asked,
23 you know, when she'll be terminated, when are we going to let
24 her go, then in one of the conversation that I have in
25 July --

Exhibit 4

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

U.S. EQUAL EMPLOYMENT) CASE NO. 1:06-CV-00028
OPPORTUNITY COMMISSION,)

Plaintiff,)

vs.)

LEO PALACE RESORT,)

Defendant.)

JENNIFER HOLBROOK, VIVIENE)
VILLANUEVA, and ROSEMARIE)
TAIMANGLO,)

Plaintiff-Intervenors,)

vs.)

LEO PALACE RESORT,)

Defendant.)

DEPOSITION TRANSCRIPT

OF

SATOSHI SUZUKI

March 14, 2007

PREPARED BY:

GEORGE B. CASTRO
DEPO RESOURCES

#49 Anacoco Lane
Nimitz Hill Estates
Piti, Guam 96915

Tel:(671)688-DEPO * Fax:(671)472-3094

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM

U.S. EQUAL EMPLOYMENT) CASE NO. 1:06-CV-00028
OPPORTUNITY COMMISSION,)

Plaintiff,)

vs.)

LEO PALACE RESORT,)

Defendant.)

JENNIFER HOLBROOK. VIVIENE)
VILLANUEVA, and ROSEMARIE)
TAIMANGLO,)

Plaintiff-Intervenors,)

vs.)

LEO PALACE RESORT,)

Defendant.)

Deposition of **Satoshi Suzuki**, taken on Wednesday, March 14, 2007, at the hour of 9:02 a.m., at the U.S. Attorney's Office, District of Guam, Sirena Plaza, 108 Hernan Cortez Avenue, Hagatna, Guam before George B. Castro, pursuant to Notice. That at said time and place there transpired the following:

DEPO RESOURCES

George B. Castro

Court Reporter

Tel:(671)688-DEPO (3376) * Fax:(671)472-3094

APPEARANCES

For the Plaintiff	U.S. EQUAL OPPORTUNITY COMMISSION By: Gregory L. McClinton, Esq.
For the Plaintiff-Intervenors	TEKER, TORRES & TEKER, P.C. By: Phillip Torres, Esq.
For the Defendant	DOOLEY, ROBERTS & FOWLER, LLP By: Tim Roberts, Esq.
Also present	Morihiro Arasaki (Interpreter) Michiro Niikura Vivienne Villanueva Rosemarie Taimanglo

DEPO RESOURCES

George B. Castro
Court Reporter

Tel: (671) 688-DEPO (3376) * Fax: (671) 472-3094

1 BY MR. McCLINTON:

2 Q You could answer.

3 A I knew, because Rose had reporting
4 once.

5 Q Okay.

6 A Since I have spoken to her once, I
7 wasn't sure it was continuing on.

8 Q Okay. And when was it that Rose told
9 you that she was being sexually harassed by Ms.
10 Camacho?

11 INTERPRETER: One more time. Rose --

12 Q That's Rose Tamayo.

13 MR. TORRES: Taimanglo.

14 MR. McCLINTON: Taimanglo.

15 A Taimanglo.

16 MR. McCLINTON: Taimanglo.

17 INTERPRETER: Taimanglo had told that
18 she's being harassed?

19 MR. McCLINTON: That's correct.

20 A I believe it at the end of June I heard
21 -- had the report from Rose and Greg and
22 somewhere in end of June, toward the end of
23 June.

24 BY MR. McCLINTON:

25 Q Okay. And when you heard from Rose and

DEPO RESOURCES

George B. Castro

Court Reporter

Tel.(671)688-DEPO * Fax(671)472-3094

1 Q Okay.

2 A -- that's why she was fired.

3 Q Right. And you knew as early as June
4 of 2004 that Rose had complained that she was
5 being sexually harassed by Ms. Camacho. Isn't
6 that true?

7 A Yes, I heard one report from end of
8 June. Yes.

9 Q All right. And in fact, you didn't
10 hear, you knew because Rose told you. Isn't
11 that true? I said it's not that you heard, you
12 knew because Rose told you?

13 A Yes.

14 Q Okay. Now after Ms. Camacho had been
15 fired, were you aware of an incident where Ms.
16 Camacho had threatened these three women while
17 they were at work at Leo Palace?

18 A No, I have not heard. I don't
19 remember.

20 Q Did Mr. Iijima ever tell you about an
21 incident where security had to be called
22 because Ms. Camacho had threatened these three
23 women on or around August 15 2004?

24 A I believe there's some kind of report
25 but I don't remember the details.

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George B. Castro

Court Reporter

Tel.(671)688-DEPO * Fax(671)472-3094

1 Q Do you remember that Rose came to you,
2 went to you, and said she wanted to go to HR to
3 complain about Christina Camacho on sexual
4 harassment?

5 A Yes, I do.

6 Q And you remember telling her it was
7 okay with you for her to go to HR, to May?

8 A Yes, I did.

9 Q Okay. You remember Greg coming to you
10 even before that time saying that he had heard
11 a complaint about Christina Camacho, and did he
12 want to go and talk to HR about it?

13 A I'm not sure about that.

14 Q Okay. What you remember telling Greg,
15 it was okay for him to go and talk to May
16 Paulino about his concerns?

17 A My memory does not agree but if they
18 ask me I could have done a thing to go to HR.

19 Q Okay. And as manager, you felt that HR
20 would deal with any problems that they were
21 told about?

22 A As they have talked today, HR director,
23 I think HR would handle the problems.

24 Q I have nothing further.

25 MR. TORRES: Thank you.

DEPO RESOURCES

George B. Castro

Court Reporter

Tel.(671)688-DEPO * Fax(671)472-3094

Exhibit 5

IN THE DISTRICT COURT OF GUAM

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

LEO PALACE RESORT,

Defendant.

CASE NO. 1:06-CV-00028

DEPOSITION OF
JENNIFER HOLBROOK
SATURDAY,
MARCH 17, 2007

JENNIFER HOLBROOK,
VIVIENE VILLANUEVA and
ROSEMARIE TAIMANGLO,

Plaintiff-Intervenors,

vs.

MDI GUAM CORPORATION dba LEO
PALACE RESORT MANENGGON HILLS
and DOES 1 through 10,

Defendants.

The deposition of Jennifer Holbrook, called by the Defendants, pursuant to Notice and pursuant to the Guam Rules of Civil Procedure, taken at the offices of Dooley Roberts & Fowler, LLP, Suite 201, Orlean Pacific Plaza, 865 South Marine Corps Drive, Tamuning, Guam 96913, on Saturday, March 17, 2007, at the hour of 7 o'clock a.m.

That at said time and place, there transpired the following:

Cecilia F. Flores
Freelance Stenotype Reporter
Tel: (671) 632-0727
Fax: (671) 632-5353
Email: chilangflores@hotmail.com

A P P E A R A N C E S:

For Plaintiff Angela D. Morrison
U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
333 S. Las Vegas Boulevard, Suite 300
Las Vegas, Nevada 89101

For Plaintiff-
Intervenors Phillip Torres, Esq.
TEKER TORRES & TEKER, P.C.
130 Aspinall Avenue, Suite 2A
Hagatna, Guam 96910

For Defendant
LeoPalace Tim Roberts, Esq.
DOOLEY ROBERTS & FOWLER, LLP
Suite 201, Orlean Pacific Plaza
865 South Marine Corps Drive
Tamuning, Guam 96913

Also Present: Michiro Niikura, Director, LeoPalace
Administration
May Paulino, HR Manager, LeoPalace
Vivienne Villanueva, Plaintiff-Intervenor

1 to do it. Tell me exactly what she did.

2 A. She tried to go under my skirt to see if I was
3 wet, she tried to reach for me in my genital area.

4 Q. Okay. Did she actually touch your genital
5 area?

6 A. No.

7 Q. Why not?

8 A. Because I pushed her down with my hand and I
9 said, "Stop!"

10 Q. Did Vivienne see this?

11 A. I believe so.

12 Q. Did Rose see this?

13 A. I believe so.

14 Q. So what did Christine do when you pushed her
15 hand away and said stop?

16 A. Christina laughed at it and I ran ahead of the
17 group.

18 Q. Ran?

19 A. Well, I went further ahead of the group.

20 Q. You walked a little faster, right?

21 A. Yes.

22 Q. And so did you have lunch with Christina and
23 Rose and Vivienne that day?

24 A. Yes.

25 Q. Anything unusual happen during the lunch that

1 A. Yes, there's two doors at the front.

2 Q. One on each side?

3 A. Yes.

4 Q. So what happened?

5 A. I was working on the computer and all I
6 remember -- what I remember is working on the computer,
7 doing some work so I guess getting ready for check-out
8 time, all I get is this big slap, bam! right on me.

9 MR. ROBERTS: The record should indicate
10 the witness has clapped her hands.

11 A. And I yelled.

12 Q. What did you say?

13 A. I reacted by screaming. My face was red, I
14 could feel my -- the anger, my ears were tipped red
15 also.

16 Q. You had this reaction before you knew who did
17 that to you?

18 A. I knew who -- I knew Christina slapped me
19 because I was --

20 Q. How? I mean, did you see her coming?

21 A. No, I didn't see her coming.

22 Q. Okay.

23 A. She was behind me, she slapped me on my butt, I
24 turned around really quickly, I felt red, I felt angry.
25 I told her -- I screamed really loud and I said, "What

1 are you" -- I don't remember, I believe I said, "What
2 are you doing?" And she giggled and she said, "I'm
3 sorry. I can't help myself." I said, "No, that wasn't
4 nice at all." And I told her, I said, "Don't you ever
5 do that again to anybody. And if I find out that you do
6 that to anybody else, I will report you in." And Hong
7 came out also.

8 Q. But he came out after -- did he come out while
9 you were screaming?

10 A. Right after I was done getting mad with
11 Christina, and I told her.

12 Q. After you had got done telling off Christina?

13 A. Yes.

14 Q. So Mr. Hong didn't see what had happened?

15 A. He asked me what happened.

16 Q. What did you tell him?

17 A. I told him, "Christina just came up to me and
18 hit me on my butt really hard, and she laughed about
19 it."

20 Q. Who's Mr. Hong?

21 A. Mr. Hong, I believe, was the sales supervisor.

22 Q. Sales supervisor?

23 A. I believe so.

24 Q. And the sales supervisor was in charge of
25 coordinating J Pax from Japan?

1 why I count three days is because Wednesday, Thursday,
2 Friday.

3 Q. Okay.

4 THE WITNESS: May I take a break?

5 MR. ROBERTS: Yes, please. Let us take a
6 break.

7 (Recess was taken.)

8 (Back on the record.)

9 MR. ROBERTS: Okay, we're back on the
10 record, we had just taken a short break.

11 Q. (By Mr. Roberts) Jennifer, did you ever make
12 any jokes that could be considered of a sexual nature
13 towards Christine?

14 A. No.

15 Q. Did you ever hear any other employees make any
16 jokes that could be considered of a sexual nature to
17 Christine? For example, Rose or Vivienne.

18 A. I don't remember.

19 Q. Did you ever laugh at any jokes that Christine
20 made?

21 A. What kind of jokes?

22 Q. Jokes of a sexual nature?

23 A. No.

24 Q. Did you ever hear Rose or Vivienne laugh at
25 anything Christine might have said of a sexual nature?

1 A. I don't remember.

2 Q. So if Christine Camacho testified under oath
3 last Thursday that you and Rose and Vivienne would laugh
4 when she made jokes of a sexual nature, was she lying?

5 A. I did not laugh at Christina's sexual jokes.
6 If they were clean jokes, I laughed at them, but once I
7 felt that the jokes were offensive in any sexual way, I
8 didn't laugh at it I just walked away and felt
9 disgusted.

10 Q. Can you remember any sexual jokes that
11 Christina made of an oral nature?

12 A. No.

13 Q. And I think you testified you never told Yutaka
14 Maruyama after he came onboard about any of these first
15 three incidents that we were talking about earlier,
16 right?

17 A. Correct.

18 Q. After this third incident where Christina
19 slapped your buttocks, did you ever tell anyone in
20 management or any supervisor that you didn't want to
21 work with Christine anymore?

22 A. I believe I told Rose.

23 Q. Do you remember what Rose said to you?

24 A. No.

25 Q. Do you remember exactly what words you said to

REPORTER'S CERTIFICATE

I, Cecilia F. Flores, Freelance Stenotype Reporter, hereby certify the foregoing 154 pages to be a true and correct transcript of the stenographic shorthand notes and audio recording taken by me in the within-entitled and numbered case at the time and place as set forth herein.

Dated at Hagatna, Guam, this 14th day of April, 2007.



Cecilia F. Flores

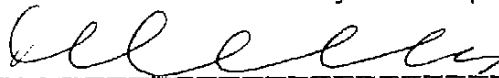
CLERK'S CERTIFICATE

Superior Court Of Guam:

I, Cecilia F. Flores, Special Deputy Clerk,
Superior Court of Guam, do hereby certify that on
Saturday, the 17th day of March, 2007 at the hour of 7
o'clock a.m. there appeared before me **Jennifer Holbrook**
at the law offices of Dooley Roberts & Fowler, LLP,
Suite 201, Orlean Pacific Plaza, 865 South Marine Corps
Drive, Tamuning, Guam 96913, the deponent herein,
produced pursuant to Notice to give her deposition in
the within-entitled and numbered CIVIL CASE NO.
1:06-CV-00028; that prior to the examination the
deponent was by me duly sworn upon her oath; that
thereafter the deposition transcript was prepared by me,
and the Certified Original Transcript was presented to
Mr. Torres' office for the deponent's review,
corrections, if any, and execution.

I further certify that I am not a relative,
employee, attorney or counsel of any of the parties, nor
a relative or employee of such attorney or counsel, and
that I am not directly or indirectly interested in the
matters in controversy.

In testimony whereof, I have hereunto set my hand
and seal of Court this 14th day of April, 2007.



Jennifer Holbrook: Saturday, March 17, 2007

Exhibit 6

U. S. Equal Employment Opportunity Commission

Mr Yusuke Miyama
President
LEO PALACE RESORT
221 Lakeview Drive
Yona, GU 96915

PERSON FILING CHARGE

Rosemarie B. Taimanglo

THIS PERSON (check one or both)

☒ Claims To Be Aggrieved☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

378-2005-00176

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

☒ Title VII of the Civil Rights Act☐ The Americans with Disabilities Act☐ The Age Discrimination in Employment Act☐ The Equal Pay Act

The boxes checked below apply to our handling of this charge:

1. ☐ No action is required by you at this time.2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.3. ☒ Please provide by **18-JAN-05** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.4. ☐ Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.5. ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by _____ to _____If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Emily Mauga,
Administrative Clerk

EEOC Representative

Telephone (808) 549 3420

Honolulu Local Office
300 Ala Moana Blvd
Room 7-127
Honolulu, HI 96850

Enclosed copy of charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☐ RACE☐ COLOR☒ SEX☐ RELIGION☒ NATIONAL ORIGIN☐ AGE☐ DISABILITY☒ RETALIATION☐ OTHER

See enclosed copy of charge of discrimination.

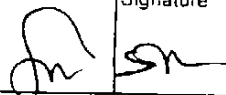
Date

Dec 28, 2004

Name / Title of Authorized Official

Timothy A. Riera,
Director

Signature



INFORMATION ON CHARGES OF DISCRIMINATION

EEOC RULES AND REGULATIONS

Section 1601.15 of EEOC's regulations provides that persons or organizations charged with employment discrimination may submit a statement of position or evidence regarding the issues covered by this charge.

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NOTICE OF NON-RETALIATION REQUIREMENTS

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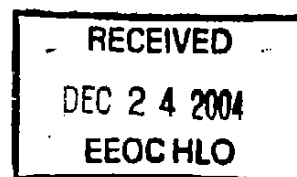
EEOC SUPPLEMENTAL DECLARATION OF ROSEMARIE TAIMANGLO

Rosemarie Taimanglo

REDACTED

CHARGING PARTY'S CONTACT INFORMATION:

Phillip Torres, Esq.
TEKER TORRES & TEKER, P.C.
Suite 2A, 130 Aspinall Avenue
Hagåtña, Guam 96910
Telephone: (671) 477-9891
Facsimile: (671) 472-2601



RESPONDENT'S INFORMATION:

LEO PALACE RESORT
221 Lakeview Drive
Yona, Guam 96915
Telephone: (671) 471-0001
Facsimile: (671) 471-0025

RESPONDENT'S CONTACT INFORMATION:

Mr. Miyama, *President*
Yutaka Maruyama, *General Manager*
MDI GUAM CORPORATION
221 Lakeview Drive
Yona, Guam 96915
Telephone: (671) 471-0001
Facsimile: (671) 471-0025

Number of Employees: 300+

Earliest Date of Violation: On or before June 7, 2004.

Latest Date of Violation: On or before August 13, 2004.

4

STATEMENT

In May 2004, Christine Camacho was hired to work as a front desk clerk at Leo Palace Resort ("Respondent"). I was hired by Respondent on May 13, 1994 and, at all times relevant herein, I worked as a front desk supervisor.

Since June 2004, I have been subjected to verbal and physical sexual harassment by a female co-worker, Christine Camacho because of her offensive language and harassing conduct at work. At first, I handled the problem by telling her that her language and actions were unwelcomed and inappropriate in the workplace. However, she continued to behave in the same way. I was aware that a written complaint about Ms. Camacho's behavior was made to the Human Resource Office on June 23, 2004 by Greg Perez, the night supervisor because Vivienne Villanueva had been "sexually assaulted" by Ms. Camacho. On July 1, 2004, I still had not heard anything from Human Resources about the complaint on Ms. Camacho. Ms. Camacho continued to act offensively so I inquired to Human Resources about what action was being taken and I also made known my own complaints about Ms. Camacho. I told Human Resources Manager, May Paulino, about the offensive and sexually explicit behavior and offensive language of Ms. Camacho which was stressing all the employees at the front desk. However, Respondent took no action to address my complaints or Greg Perez's complaint. I was told by Ms. Paulino, after she consulted with Mr. Suzuki, a front desk manager, that the company was too "short of staff" to take action against Ms. Camacho

During her employment, Ms. Camacho consistently used vulgar language and sexual references in front of me and her co-workers and, on occasion, guests of the hotel. In June, July and August, I repeatedly told Ms. Camacho that she was not to swear or act out in the workplace. Ms. Jennifer Holbrook and Ms. Villanueva, other front desk employees, also told Ms. Camacho that her

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constant swearing and sexual references offended them and told her to stop. Regardless, Ms. Camacho never changed her pattern of offensive speech or behavior around her co-workers which created a severe and pervasive hostile environment whenever she worked.

After I complained in July about the sexual harassment of Vivienne Villanueva and the hostile and tense environment at the front desk wherever Christine Camacho was working, I felt I couldn't say anything more because the response I received from Ms. Paulino was that "we were short of staff and the company wouldn't let Christina go unless the Company found a replacement." Other management personnel, Mr. Ijima and Mr. Hong knew of Ms. Camacho's behavior but also looked the other way as though it wasn't their problem. I and my co-workers were left to fend for ourselves in dealing with Ms. Camacho.

On August 10, 2004, at approximately 6:30 in the morning, Ms Camacho walked up behind me and slapped me hard on the buttocks. I was extremely upset by what happened and yelled at Ms. Camacho. It was the second time I had been slapped on the buttocks by Ms. Camacho. The first time occurred a month earlier when Ms. Camacho and I were exiting one of the Company's vans that routinely transported the employees from the hotel to the parking area. The van incident was witnessed by co-employees, including Joseph Ishizaki, who still works for the Company. Thereafter, I complained again to Human Resources.

I believe I have been discriminated against because of my sex and national origin. I think the Company would have taken swift actions if the person complaining was a Japanese male. Although I worked for Respondent for ten (10) years, I felt I couldn't work there any longer because of what happened and I resigned in October.

I want this charge filed with the EEOC. I will advise the agency if I change my address or telephone number and cooperate fully with you in the processing of my charge in accordance with your procedures.

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I declare under penalty of perjury that the foregoing is true and correct.

Dated this 16th day of December, 2004.

Rosemarie Taimanglo
ROSEMARIE TAIMANGLO

U. S. Equal Employment Opportunity Commission

1

Mr Yusuke Miyama
President
LEO PALACE RESORT
221 Lakeview Drive
Yona, GU 96915

PERSON FILING CHARGE

Jennifer T. Holbrook

THIS PERSON (check one or both)

- ☒ Claims To Be Aggrieved
☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

378-2005-00175

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

- ☒ Title VII of the Civil Rights Act
☐ The Americans with Disabilities Act
☐ The Age Discrimination in Employment Act
☐ The Equal Pay Act

The boxes checked below apply to our handling of this charge:

- ☐ No action is required by you at this time.
- ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
- ☒ Please provide by **18-JAN-05** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- ☐ Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by _____ to
If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Emily Mauga,
Administrative Clerk

EEOC Representative

Telephone: (808) 541-3400

Honolulu Local Office
300 Ala Moana Blvd
Room 7-127
Honolulu, HI 96850

Enclosed, 2 copies of charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

- ☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☐ AGE ☐ DISABILITY ☒ RETALIATION ☐ OTHER

See enclosed copy of charge of discrimination.

Date	Name / Title of Authorized Official	Signature
Dec 28, 2004	Timothy A. Riera, Director	

INFORMATION ON CHARGES OF DISCRIMINATION

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Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made. Please note that the Civil Rights Act of 1991 provides substantial additional monetary provisions to remedy instances of retaliation or other discrimination, including, for example, to remedy the emotional harm caused by on-the-job harassment.

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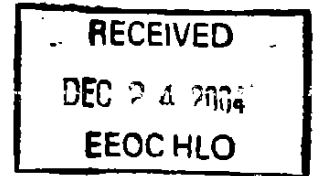
EEOC SUPPLEMENTAL DECLARATION OF JENNIFER HOLBROOK

Jennifer Holbrook

REDACTED

CHARGING PARTY'S CONTACT INFORMATION:

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Telephone: (671) 471-0001
Facsimile: (671) 471-0025

RESPONDENT'S CONTACT INFORMATION:

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MDI GUAM CORPORATION
221 Lakeview Drive
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Telephone: (671) 471-0001
Facsimile: (671) 471-0025

Number of Employees: 300+

Earliest Date of Violation: On or before June 7, 2004.
Latest Date of Violation: On or before August 13, 2004.

4

STATEMENT

In May 2004, Christine Camacho was hired to work as a front desk clerk at Leo Palace Resort ("Respondent"). I was hired by Respondent in May 2004 and worked as a front desk clerk. We were co-workers at the front desk. During the time that we worked together, Ms. Camacho consistently used vulgar language and sexual references in front of me and other front desk co-workers and, on occasion, guests of the hotel.

Since June 2004, I have been subjected to verbal and physical sexual harassment by Christine Camacho. Ms. Camacho also engaged in sexually assaultive behavior at the workplace. In early June, Ms. Camacho grabbed my arm and raised it up to her breast. She was not fooling around and I was offended. I yanked my arm away and angrily yelled at Ms. Camacho to stop behaving that way.

On July 7, 2004, Ms. Camacho walked up behind me and slapped me across the buttocks in an extremely hard manner. I screamed and was very upset. The sound of the slap and my loud scream caused Mr. Hong, the assistant sales manager for the Company, to come out of his office behind the front desk to see what had happened. Mr. Hong asked what happened and despite being I told him what had occurred. He did nothing! After Ms. Camacho slapped me she told me, "Sorry, I just can't help myself around you."

I complained to Rosemarie Taimanglo about the harassing behavior of Ms. Camacho. She told me that she has repeatedly warned Ms. Camacho about her conduct and that the Respondent was aware. I was told that they wouldn't take any action, that we all had to deal with Christina. Whenever I worked with Christina things were extremely stressful. She consistently used foul language and wanted to relay vulgar stories about her and her gay lover. I tried to ignore her but it just became a pervasively tense time whenever we worked together.

After I complained about the sexual harassment, I was harassed and intimidated by the General Manager, Yutaka Maruyama, . Mr. Maruyama yelled at me in front of another co-worker, Rosemarie Taimanglo. Also, after I complained on August 16, 2004, my work hours were reduced from five (5) days a week to four (4) days a week.

This Declaration supplements my Claim for Sexual Harassment under Title VII, 42 U.S.C. § 2000e-2(a)(1). I have been a victim of sexual harassment by my co-worker, Christine Camacho. The hostile environment at the front desk was severe and pervasive and even though Respondent knew of my complaints, and the complaints of others, it acted unreasonably by doing nothing to help us or to change the situation.

I want this charge filed with the EEOC. I will advise the agency if I change my address or telephone number and cooperate fully with it in the processing of my charge in accordance with its procedures.

5

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 16th day of December, 2004.



JENNIFER HOLBROOK

U. S. Equal Employment Opportunity Commission

Mr Yusuke Miyama
President
LEO PALACE RESORT
221 Lakeview Drive
Yona, GU 96915

PERSON FILING CHARGE

Viviene D. Villanueva

THIS PERSON (check one or both)

☒ Claims To Be Aggrieved☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

378-2005-00174

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

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The boxes checked below apply to our handling of this charge:

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For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Timothy A. Riera,
Local Office Director

EEOC Representative

Telephone: (808) 544-3120

Honolulu Local Office
300 Ala Moana Blvd
Room 7-127
Honolulu, HI 96850

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN ☐ AGE ☐ DISABILITY ☐ RETALIATION ☐ OTHER

See enclosed copy of charge of discrimination.

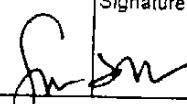
Date

Dec 28, 2004

Name / Title of Authorized Official

Timothy A. Riera,
Director

Signature



INFORMATION ON CHARGES OF DISCRIMINATION

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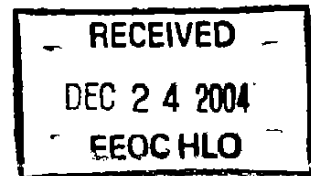
EEOC SUPPLEMENTAL DECLARATION OF VIVIENE VILLANUEVA

Vivienne Villanueva

REDACTED

CHARGING PARTY'S CONTACT INFORMATION:

Phillip Torres, Esq.
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STATEMENT

In May 2004, Christine Camacho was hired to work as a front desk clerk at Leo Palace Resort ("Respondent"). I was hired by Respondent on June 6, 2003 and worked as a front desk clerk. We were co-workers at the front desk. During her employment Ms. Camacho consistently used vulgar language and sexual references in front of me and her co-workers and, on occasion, guests of the hotel.

From June 2004, I was subjected to verbal and physical sexual harassment by Christine Camacho. On or about June 7, 2004, while working at the front desk, I was grabbed from behind, on the right side, by Ms. Camacho who then proceeded to "sexually hump" me. I was appalled and offended and yelled loudly at Ms. Camacho and told her to stop. I immediately reported the matter to Ms. Taimanglo who had not witnessed it. Ms. Camacho then told me she was "Sorry but I just couldn't help myself." Mr. Greg Perez, the night supervisor was told of the assault on me and he prepared a report after conducting an investigation. It was given to the Human Resources Department on or about June 23, 2004.

On or about July 1, 2004, I again complained to my immediate supervisor, Rosemarie Taimanglo about Ms. Camacho's behavior. The front desk area is a small area and Ms. Camacho's offensive comments and actions could not be escaped. Ms. Taimanglo followed up with the Human Resources Manager, May Paulino. However, Ms. Taimanglo later told me that Respondent would not be taking any action to address my complaint. I was very upset by Respondent's response.

After I complained about the sexual harassment and nothing was done, I felt increased stress and fear. Ms. Camacho did not temper her actions and they became severe and pervasive. All I could do was try to ignore her. Ms. Taimanglo repeatedly told Ms. Camacho that she was not to swear in the workplace. Ms. Jennifer Holbrook and I also told Ms. Camacho that her constant swearing and sexual references offended them and told her to stop. Regardless, Ms. Camacho never changed her pattern of offensive speech.

I submit this Declaration to supplement the Claims for Sexual Harassment submitted by my attorney earlier this month and I incorporate the statements therein. I believe I have been a victim of sexual harassment by my co-worker, Christine Camacho. I have a written document at the time of the incident and I have reported it to my supervisor. Respondent knew of my complaints, and the complaints of others, it acted unreasonably by doing nothing to help us or change the situation between June and August.

I want this charge filed with the EEOC. I will advise if I change my address or telephone number and will cooperate fully in the processing of my charge in accordance with its procedures.

5
I declare under penalty of perjury that the foregoing is true and correct.

Dated this 16th day of December, 2004.



VIVIENE VILLANUEVA